

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>WILLIAMS R. JENKINS,</b>	:	<b>CIVIL ACTION NO. 1:11-CV-1061</b>
<b>Petitioner</b>	:	
	:	
v.	:	<b>(Judge Conner)</b>
	:	
<b>UNITED STATES OF AMERICA,</b>	:	
<b>Respondent</b>	:	

**ORDER**

AND NOW, this 16th day of August, 2011, upon consideration of the Report and Recommendation of United States Magistrate Judge Thomas M. Blewitt (Doc. 6), recommending that the petition (Doc. 1) be construed as a petition for writ of habeas corpus and that said petition be dismissed, and, following an independent review of the record and noting that petitioner filed objections<sup>1</sup> to the report on July 8, 2011 (Doc. 7), and the court finding Judge Blewitt's analysis to be thorough and well-reasoned, and the court finding petitioner's objections to be without merit and squarely addressed by Judge Blewitt's report, it is hereby ORDERED that:

1. The Report and Recommendation of Magistrate Judge Blewitt (Doc. 6) are ADOPTED.

---

<sup>1</sup> Where objections to a magistrate judge's report and recommendation are filed, the court must perform a *de novo* review of the contested portions of the report. Supinski v. United Parcel Serv., Civ. A. No. 06-0793, 2009 WL 113796, at \*3 (M.D. Pa. Jan. 16, 2009) (citing Sample v. Diecks, 885 F.2d 1099, 1106 n. 3 (3d Cir. 1989); 28 U.S.C. § 636(b)(1)(c)). "In this regard, Local Rule of Court 72.3 requires 'written objections which . . . specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for those objections.'" Id. (citing Shields v. Astrue, Civ. A. No. 07-417, 2008 WL 4186951, at \*6 (M.D. Pa. Sept. 8, 2008)).

2. The Petition (Doc. 1) is construed as a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 and that said petition is DISMISSED, without directing service on Respondent.
3. The Clerk of Court is directed to CLOSE this matter.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge